



Dated: April 13, 2023

The following is ORDERED:

A handwritten signature in black ink, reading "Sarah A. Hall".

Sarah A Hall
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF OKLAHOMA**

IN RE:)	
Benjamin Adam Floyd,)	Case No. 23-10158-SAH
Debtor.)	Chapter 7

ORDER GRANTING
MOTION FOR RELIEF FROM AUTOMATIC STAY, OF 11 U.S.C. §362
AND REQUEST FOR WAIVER OF 14 DAY STAY PURSUANT TO LR 4001-1(a)(3)
AND
DENYING REQUEST FOR ABANDONMENT OF PROPERTY

Counsel represents that the Motion for Relief from Automatic Stay of 11 U.S.C. §362 and Request for Abandonment of Property and Request for Waiver of 14 Day Stay Pursuant to LR 4001-1(b), (Doc 20) was filed on February 28, 2023, and served on all parties in interest pursuant to Local Bankruptcy Rule 9007, and the last date for filing objections was March 14, 2023, which has passed with no objection thereto being served and filed, other than the Debtor. Pursuant to a notice of hearing a telephonic evidentiary hearing was scheduled and held on March 29, 2023. Debtor, Benjamin Adam Floyd, appeared by telephone. John B. Hill, appeared by telephone, as Counsel for Debtor. Movant, Danielle R. Floyd, appeared by telephone. Christopher A. Wood, appeared by telephone, as Counsel for Movant. All statements of findings of fact in this order or judgment are

made solely upon representation of counsel for the debtor. This Court has jurisdiction of this matter and may enter a final order pursuant to 28 U.S.C. §§ 1334 and 157 and 11 U.S.C. §362. This is a core proceeding and a contested matter pursuant to Fed.R.Bankr.P. 4001(a) and 9014.

The Court applied the factors identified in In re Curtis, 40 B.R. 795, 799-800 (Bankr.D.Utah 1984). After a consideration of the Curtis factors, the Court finds that all factors applied to this case are either not applicable, neutral or favor the granting of the Motion for Relief as set forth in further detail in the record. Therefore, the Motion for Relief should be granted. The Court further finds that good cause exists to waive the 14 day stay pursuant to Fed. R. Bankr.P. 4001(a)(3).

The Court does find that the Request for Abandonment of Property should be denied at this time.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the stay imposed by 11 U.S.C. §362 is modified so that Danielle R. Floyd, may proceed with the divorce in Oklahoma County District Court, wherein the Court be allowed to grant a divorce, determine custody, order child support, order support alimony, divide assets and liabilities, and award attorney fees in the divorce case between the debtor, Benjamin Adam Floyd and his wife, Danielle R. Floyd, Movant, in this case.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the request for Property of the estate to be abandoned, pursuant to 11 U.S.C. §554, is denied.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this order shall not be stayed and the statutory period is waived pursuant to FRBP 4001(a)(3).

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APPROVED FOR ENTRY:

s/Christopher A. Wood
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